

PROB 12C
(7/93)

Report Date: March 9, 2010

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 09 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Gerardo Rios-Orosco

Case Number: 2:05CR00113-001

Address of Offender: Incarcerated at the Yakima County Jail, Yakima, WA.

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 12/19/2005

Original Offense: Alien In US After Deportation, 8 U.S.C. § 1326

Original Sentence: Prison - 30 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Pamela J. Byerly

Date Supervision Commenced: 12/02/2008

Defense Attorney: Beth Bollinger

Date Supervision Expires: 12/01/2011

 PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

- | | |
|---|--|
| 1 | <u>Special Condition #14:</u> You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry. |
|---|--|

Supporting Evidence: The defendant illegally reentered the United States without permission on or about January 11, 2010, as noted in alleged violation 2.

Information received from the U.S. Immigration and Customs Enforcement, indicates the defendant was deported to Mexico, on December 9, 2008, at Hidalgo, Texas, and has not obtained legal permission to reenter the United States.

- | | |
|---|--|
| 2 | <u>Mandatory Condition #2:</u> The defendant shall not commit another Federal, state, or local crime. |
|---|--|

Supporting Evidence: On January 11, 2010, the defendant, under the alias Gerardo Orosco Rios, was arrested by the Sunnyside Police Department in Sunnyside, Washington, for first degree robbery.

Prob12C

Re: Rios-Orosco, Gerardo

March 9, 2010

Page 2

According to the official court documents, the defendant entered the Yakima Federal Savings and Loan in Sunnyside, Washington. Upon entering the bank, the defendant approached the teller, demanded money and instructed her not to call the police or set off any alarms "or I'll come back and hurt you." The defendant then exited the bank and began walking down the street and was arrested by local law enforcement.

As the defendant was being detained, he dropped his right hand and began reaching for something in or around his waistband. Officers took the defendant to the ground and detained him. Based on the information received, it does not appear the defendant was in possession of a weapon.

While the defendant was being patted down, \$2,731, was removed from the defendant's coat pockets. It was later determined this was the same amount of money with matching recorded serial numbers that was stolen from the bank.

On January 13, 2010, the defendant made an initial appearance in Yakima County Superior Court, case number 10-1-00092-1, at which time he was detained pending further court proceedings. On March 4, 2010, he appeared in court and plead guilty to the aforementioned charge. Mr. Rios-Orosco was sentenced to 54 months incarceration with 18 months of community custody to follow.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

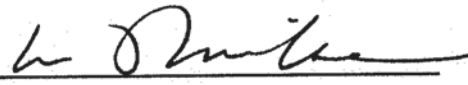
Executed on: 03/09/2010

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other


Signature of Judicial Officer

March 9, 2010
Date